

undoubted character and of wide experience and reputation. They are frequently consulted in similar cases and they are peculiarly well qualified to give advice in the pending matter. They were chosen to aid the state's attorney's office after careful investigation of their qualifications.

"These gentlemen have carefully examined the mortal bullet. They have examined the Israel revolver. They have conducted sundry experiments. They have carefully compared the recovered bullets with the mortal bullet. They have examined the photographs of all the bullets thus used as well as the mortal bullet, and they have examined the experimental bullets fired by Capt. Van Amburgh. They have carefully considered his findings and they have examined the matter at great length and with the most painstaking care. Now, this has been a rather difficult matter for me to follow, Your Honor, but I have followed these discussions and the line of reasoning to the best of my ability. Apparently the contention made by Capt. Van Amburgh rests upon three propositions:

"(A) He calls attention to the cups or depressions in the base of the mortal bullet as compared with similar depressions in the base of test bullets fired through the Israel revolver. I discussed this point at length with him and he frankly states that it is of very minor significance and without probative value. In other words, we talked about the point for half an hour, perhaps longer, and at the end of it he said it was a matter of no importance. Now, as a matter of fact, the other experts told me that similar appearances are produced by many different kinds of bullets, and the matter is of no importance whatsoever.

"(B) Measurements made of markings on the mortal bullet as compared with markings on the test bullets. It is his contention that it is possible to detect certain similarities in this respect. He does not, however, place much weight upon his assertions in this respect, preferring to rest his proposition upon his third and last point.

"(C) This point deals with comparisons made between a photograph of the fatal bullet and a photograph made of a recovered bullet fired through the Israel revolver. By superimposing these photographs, he asserts that he is able to trace certain lines of similarity. It is upon this that he

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